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20 UNITED STATES DISTRICT COURT
21 FOR THE NORTHERN DISTRICT OF CALIFORNIA
22 SAN FRANCISCO DIVISION

23 AMERICAN FEDERATION OF
24 GOVERNMENT EMPLOYEES, AFL-CIO;
25 AMERICAN FEDERATION OF STATE
26 COUNTY AND MUNICIPAL EMPLOYEES,
27 AFL-CIO, et al.,

28 Plaintiffs,

v.

UNITED STATES OFFICE OF PERSONNEL
MANAGEMENT, et al.,

Defendants.

Case No. 3:25-cv-01780-WHA

**DECLARATION OF DANIELLE
LEONARD IN SUPPORT OF
PLAINTIFFS' URGENT REQUEST FOR
STATUS CONFERENCE**

DECLARATION OF DANIELLE LEONARD

I, Danielle Leonard, declare as follows:

1. I am a member in good standing of the State Bar of California and the bar of this Court. I represent the Plaintiff organizations in this action. I make this declaration in support of Plaintiffs' Urgent Request for Status Conference. I have personal knowledge of the matters set forth herein.

2. Plaintiffs request a status conference to address compliance with and enforcement of this Court's order of February 27, 2025, requiring that Defendant Acting OPM Director Ezell appear for cross-examination on the declaration submitted in support of OPM and Acting OPM Director Ezell's Opposition to Plaintiffs' TRO Motion.

3. First thing on Monday, March 3, 2025, I emailed counsel for Defendants on a number of topics, including requesting confirmation that Defendant Ezell will appear as ordered.

4. During a meet and confer telephone call, Defendants' counsel raised various objections to Mr. Ezell's appearance (including that Mr. Ezell is more than 100 miles from the Court and the "Apex" doctrine). Plaintiffs reiterated their position that the Court had already ordered Mr. Ezell to appear. Defendants requested that Plaintiffs consider postponing the hearing and calling other witnesses they contended had more direct knowledge, notwithstanding Mr. Ezell's declaration.

5. On March 4, 2025, I responded in writing, rejecting Defendants' counsel's proposals, and reiterated our understanding that Defendants object to producing Mr. Ezell. I asked counsel to confirm by noon the following day whether they had changed their position and would in fact produce him.

6. On March 5, 2025 I did not receive a response by noon.

7. I further responded, informing Defendants' counsel of Plaintiffs' intention to ask this Court for a status conference to address this issue, and requesting immediate clarification of any Declaration of Danielle Leonard ISO Urgent Request for Status Conference, No. 3:25-cv-01780-WHA

1 changed position. Counsel responded without clarification, and asking for additional time. In light of
2 the imminence of the hearing, I responded that Plaintiffs are filing this request.

3 I declare under penalty of perjury under the laws of the United States that the foregoing is true
4 and correct. Executed on March 5, 2025, in San Francisco, California.
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Danielle Leonard
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